



State of Louisiana
DIVISION OF ADMINISTRATION

OFFICE OF STATE UNIFORM PAYROLL

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GOVERNOR

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COMMISSIONER OF ADMINISTRATION

March 1, 2002

OFFICE OF STATE UNIFORM PAYROLL MEMORANDUM #2002-51

TO: All ISIS HR Paid Agencies

FROM: Jena W. Cary
Director

SUBJECT: Military Leave

Employees on military leave are protected under the Uniformed Service Employment and Reemployment Rights Act (USERRA) and the Military Relief Act. Included in these acts are provisions for pension plans and for how leave should be treated. Civil Service also issued General Circular No. 001458 on November 13, 2001 which clarifies rules and rights as related to employees on active military duty.

An employee who leaves employment for active duty shall be treated as being on a military leave of absence. The employee must first use 15 days of military leave (per tour of duty) and may then choose to use any combination of annual or compensatory leave, or choose to use leave without pay (LWOP). If leave is not available, the employee should be placed on LWOP and is entitled to certain reemployment rights.

If the employee is on paid leave, all retirement contributions should be processed as usual, and will be remitted as usual. However, an employee who is on LWOP can choose (the employee must make a choice) to pay the required employee portion of retirement contributions. **This policy is issued to advise ISIS HR paid agencies that the employee contributions should be made directly to the agency, and agency personnel must remit both the employee and employer contributions to the retirement system. These contributions will not be reported in ISIS HR.** The retirement systems will report these contributions as non-sheltered.

Group health and life insurance coverage and participation in the Flexible Benefits Plan follow FMLA laws when an employee is on a military leave of absence. Refer to October 19, 2001 Blast Fax from OGB for details. Since insurance for miscellaneous products are not group policies, employees are responsible for coordinating with the appropriate vendors to maintain coverage for any period that deductions are not taken.

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For more information regarding military leave and retirement, refer to the LASERS, Teachers and Civil Service web sites:

<http://www.lasers.state.la.us/active.htm>

<http://www.trsl.state.la.us/news/news.html#leave>

<http://www.dscs.state.la.us/progasst/gencirc/GENCIRC01/001458.htm>

Further correspondence may be provided to agencies if proposed rule changes on military leave (General Circular No. 001472) are approved by the State Civil Service Commission at the public hearing on Wednesday, March 6, 2002.

Details regarding payments to retirement systems should be directed to the specific retirement system involved. Direct any other questions to a member of the OSUP Wage and Tax Administration Unit at (225):

Rachel Bryant	342-1651	Rhonda Desselle	342-8928
Lawanna Green	342-0714	Dorothy Piazza	342-1652

JWC:RJB:kmb